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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,907	11/05/2003	Brent A. Anderson	BUR920030089US1	2906
30449	7590	08/25/2004	EXAMINER	
SCHMEISER, OLSEN + WATTS SUITE 201 3 LEAR JET LATHAM, NY 12033				PRENTY, MARK V
ART UNIT		PAPER NUMBER		
		2822		

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/605,907	ANDERSON ET AL.
Examiner	Art Unit	
MARK V PRENTY	2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 November 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) 1-30 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 November 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date, _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>November 5, 2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

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This Office Action is in response to the papers filed on November 5, 2003.

This application is in condition for allowance except for the following formal matters.

The specification is objected to for the reasons listed below. Correction is required.

In paragraph [0039], line 6, "110" should read "100".

In paragraph [0045], line 8, "320B" should read "320D".

In paragraph [0047], line 9, "NFET" should read "PFET".

In paragraph [0050], line 9, "NFET" should read "PFET".

In paragraph [0051], line 7, "100" should read "110" (see the Figs. 5-6 disclosure).

In paragraph [0051], line 7, "high" should read "low" (see the Figs. 5-6 disclosure).

In paragraph [0051], line 11, "N3 and N4" should read "N1 and N2".

In paragraph [0051], line 11, "high" should read "low".

In paragraph [0053], line 9, "NFET" should read "PFET".

In paragraph [0054], line 6, "100" should read "110" (see the Figs. 5-6 disclosure).

In paragraph [0054], line 7, "high" should read "low" (see the Figs. 5-6 disclosure).

In paragraph [0054], line 14, "high" should read "low" (see the Figs. 5-6 disclosure).

Claims 1-30 are objected to as explained below. Correction is required.

Independent claim 1 is objected to because "first" (line 15) should read "third".

Claims 2-14 depend on independent claim 1 and are therefore similarly objected to.

Claim 2 is further objected to because "second" (line 3) should read "third".

Claim 3 is further objected to because "second" (line 2) should read "third".

Independent claim 15 is objected to because "a pass gate transistor" (line 7) should read "a pull down latch transistor".

Independent claim 15 is objected to because "a pass gate transistor" (line 11) should read "a pull up latch transistor".

Claims 16-28 depend on independent claim 15 and are therefore similarly objected to.

Independent claim 29 is objected to because "a {110} of said fin bodies of said first and second pull up latch transistors" (lines 18-19) should read "a {110} crystal plane of said fin bodies of said first and second pull up latch transistors".

Independent claim 29 is objected to because "crystal planes of said first, second and third fin bodies co-aligned" (lines 25-26) should read "crystal planes of said fin bodies of said pass gate transistors, said pull down latch transistors and said pull up latch transistors".

Claim 30 depends on independent claim 29 and is therefore similarly objected to.

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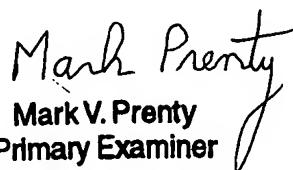
The prior art of record does not disclose or suggest the claimed semiconductor devices taken as a whole, including the pass gate transistors, the pull down latch transistors and the pull up latch transistors.

Fried et al. (United States Patent 6,657,259) and Krivokapic et al. (United States Patent 6,765,303) are relevant to this application.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Registered practitioners can telephone the examiner at (571) 272-1843. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (571) 272-2800.


Mark V. Prenty
Primary Examiner